

Original sponsor(s): RULES/GOVERNOR

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 157 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to imposition of a civil fine for
7 violation of a statute, regulation, or ordinance
8 related to alcoholic beverages."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 04.11 is amended by adding a new section to read:

11 Sec. 04.11.575. CIVIL FINE. (a) Except as provided in (c) of
12 this section, the board may, in addition to any other penalties impos-
13 ed under this title, impose a civil fine upon a licensee or permittee
14 that the board determines, at a proceeding under AS 04.11.510(c), has
15 violated a provision of this title, a regulation adopted under this
16 title, or an ordinance adopted in accordance with AS 04.21.010.

17 (b) The board shall by regulation adopt a schedule of fines that
18 a licensee may be required to pay under this section. A fine may not
19 exceed the greater of:

20 (1) \$50,000; or

21 (2) an amount that is three times the monetary gain re-
22 alized by the licensee as a result of the violation.

23 (c) The board may not impose a civil fine if the violation
24 results in revocation or nonrenewal of the license. If the board is
25 proceeding under AS 04.11.370(4), the board may not impose a civil
26 fine, unless the licensee consents to the fine and the fine does not
27 exceed the greater of the amount specified under AS 12.55.035 applica-
28 ble to the offense for which the licensee was convicted or the limit
29 imposed under (b)(2) of this section.

1 * Sec. 2. AS 04.11.590(a) is amended to read:

2 (a) Money collected from licenses and civil fines under this
3 title shall be transferred by the board to the Department of Revenue
4 and deposited in the general fund.

5 * Sec. 3. AS 04.11.590 is amended by adding a new subsection to read:

6 (c) The commissioner of administration shall separately account
7 for all application fees, license fees, and civil fines collected
8 under this title that the Department of Revenue deposits in the gener-
9 al fund. The annual estimated balance in the account may be used by
10 the legislature to make appropriations to the Department of Revenue to
11 carry out the purposes of AS 04.06.